

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALBERT C. HENDERSON, III,

Plaintiff,

vs.

Civ. No. 20-32 MV/JFR

DUNGARVIN NEW MEXCIO, LLC,


Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION AND
DISMISSING PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE**

THIS MATTER is before the Court on the Proposed Findings and Recommended Disposition by United States Magistrate Judge John F. Robbenhaar, filed March 8, 2021. Doc. 44. Objections were due by no later than March 22, 2021. The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 44) is adopted.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (Doc. 28) is **GRANTED** and Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.



MARTHA VAZQUEZ
United States District Judge